

## MINUTES

### MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, November 6, 2006

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, B. Ryan, G. Zimmer

Members absent: P. Plante

Alternates present: C. Kusmer

Alternate absent: B. Pociask

Staff present: G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 7:34 p.m., appointing Alternate Kusmer to act due to member absence.

#### Minutes:

10/16/06 - Zimmer MOVED, Holt seconded, to approve the Minutes of the 10/16/06 Meeting as written. MOTION PASSED with Goodwin disqualified, and all others in favor.

10/23/06 (Field Trip)- Holt MOVED, Ryan seconded, to approve the Minutes of the 10/23/06 Field Trip as written. MOTION PASSED with Favretti, Ryan, and Holt in favor, and all others disqualified.

#### Old Business:

1. Subdivision Application, Dunham Farm Estate, 3-lots on S. Eagleville/Dunham Pond Roads, EJK Properties LLC., Applicant, File #1252 MAD 12/7/06  
Padick noted an 11/3/06 memo from Director of Planning, an 11/2/06 memo from Assistant Town Engineer, a 10/31/06 memo from EHHD, and a 10/17/06 memo from Open Space Preservation Committee. Padick recommended that the Commission table this agenda item because the applicant is waiting for D.E.P. approvals, D.O.T. comments on sightline issues, and a resolution regarding open space dedication involving the owners of the property and the Dunham Pond Associates. Item Tabled.

#### Scheduled Business:

Zoning Agent's Report

Items A and B were noted. Commission members had no comments.

C. Update on Hall site restoration, trailer removal activities

Hirsch notified the Commission that the Ashford site for the trailers does not have Zoning approval. Hirsch noted that he would be contacting Mark Branse and Ed Hall. He also

noted that site grading south of 23 Mansfield Hollow Road (Eric Hall site) has begun, and is expected to meet the 11/13/06 deadline for the foundation to be complete.

D. Other

Hirsch updated the Commission that he and Chairman Favretti approved the well pump shed expansions at the 3 elementary schools. He also noted that the first coat of pavement is to be applied in a few weeks at Beacon Hill. Commissioner Hall notified Hirsch that the property with the chicken coops at the corner of Mansfield Avenue and Pleasant Valley Road seems to have a number of vehicles, dump trucks, and fork lifts at the site. Hirsch agreed to visit the site, and update the Commission at the next meeting.

Old Business

2. Special Permit Application, Proposed E.O. Smith High School Classroom at 85 Depot Road, Regional School District 19, Applicant, File #1251 MAD 12/20/06

At this time, Commissioner Ryan disqualified herself. Chairman Favretti asked if any Commission members had questions or comments to discuss. Some Commission members expressed conflicting feelings regarding the proposal for reasons such as site size, neighborhood impact, and building and site layout. Chairman Favretti felt because the building's use had not changed from its original school use, that the proposal is a good one. He reminded the Commissioners that they should address this proposal only as it relates to the PZC regulations and not concerning whether or not there is room for future expansion or this site's future uses. Favretti volunteered to draft an approval motion, and Hall volunteered to draft one for denial. Favretti also noted that anyone who missed meetings when this proposal was discussed should review the taped recordings of the missed meetings.

3. Bonding/Subdivision Issues:

a. Mulwood East, File #1225

Item tabled.

b. Maintenance Bond, Maplewoods, Section 2, Max Felix Drive, File #974-3

Item tabled.

c. Fencing/Landscaping Bone Mill Subdivision, File #1219

Gardner MOVED, Holt seconded that the PZC authorizes the Director of Planning to take appropriate actions to release a \$5,000 cash bond that was posted with the Town to ensure completion of required subdivision work in the Bonemill Road Subdivision.

MOTION PASSED UNANIMOUSLY.

d. Pine Grove Estates, File #1187-2

Item tabled.

e. McFarland Acres, File #877-3

Item tabled.

f. Beacon Hill Estates, File #1214-2

Gardner MOVED, Holt seconded, that the PZC authorize an extension of the completion period to June 1, 2007 for public improvements in the Beacon Hill Subdivision off Mansfield City Road. Furthermore, that the PZC modify Condition #4 of its 10/18/05 approval to authorize the issuance of up to seven Certificates of Compliance for occupancy of new homes subject to the satisfactory completion of the first layer of roadway pavement and the execution of an updated bond agreement that includes developer commitments to maintain safe access to all occupied lots including all

necessary sanding and snow plowing during the winter season. MOTION PASSED UNANIMOUSLY.

g. Aurora Estates, File #1231

Item tabled.

h. Fellows Estates, File #1230

Item tabled.

i. Baxter Road Estates, File #1229

Item tabled.

j. Wild Rose Estates Sections 1, 2A and 2B

Item A and B tabled.

Item C: Hall MOVED, Holt seconded, that the PZC authorize the execution of a Phase 2B bond for Wild Rose Estates in the amount of \$221,000. The bond may be a cash bond or combination cash bond and Letter of Credit from a bank previously authorized by the Commission. MOTION PASSED UNANIMOUSLY.

k. Windswept Manor, File #1198

Item tabled.

4. Potential Revisions to PZC/IWA Fee schedule

Item tabled.

5. Presentation by Paula Stahl from the Green Valley Institute on Open Space Subdivisions

Item tabled

#### New Business

1. New Special Permit Application, Proposed Expansion of Gibbs Oil Company gasoline service station/convenience store, 9 Stafford Road, File #404-3

Commissioner Kochenburger disqualified himself. Goodwin MOVED, Holt seconded, to receive the Special Permit application (file #404-3) submitted by Gibbs Oil Company, for a Convenience Store with drive-thru/gasoline filling station, on property located at 9 Stafford Road, owned by the applicant, as shown on plans dated 6/13/06, revised through 10/17/06 and as described in other application submissions, and to refer said application to the staff, Design Review Panel, and the Committee on the Needs of Persons with Disabilities for review and comments, and to set a Public Hearing for December 4, 2006. MOTION PASSED with Kochenburger disqualified, and all others in favor.

3. Proposed Use Modification, 287 Gurleyville Road, R. Moskowitz o/a File #1232  
Chairman Favretti disqualified himself and Vice-Chairman Goodwin acted in his place. After a brief discussion, Kochenburger MOVED, Holt seconded, that the PZC modify its 8-1-05 approval for property at 287 Gurleyville Road to authorize a single family residential use of the subject property as described in a 10/16/06 applicant submission. This authorization is conditioned upon continued compliance with 8-1-05 approval conditions for associated commercial use of the subject property. It is understood that the residential use may be interim in nature and the property owner has retained the right to utilize the site exclusively for commercial use as previously authorized. This authorization is subject to obtaining approval from Eastern Highlands Health District and the Building Official. MOTION PASSED with Favretti disqualified, and all others in favor.

4. Request for storage shed outside of BAE, 200 Bonemill Road. File #1219

After a brief discussion, Gardner MOVED, Holt seconded, that the Planning and Zoning Commission authorize at 200 Bonemill Road a 10 foot x 13 foot storage shed, as depicted on submitted plans. This authorization is subject to confirmation that height and use provisions of Article VIII, Section B.1.d. are met. MOTION PASSED UNANIMOUSLY.

5. Request for storage shed outside BAE, 19 Jonathan lane

After a brief discussion, Hall MOVED, Holt seconded, that the Planning and Zoning Commission authorize at 19 Jonathan Lane a 12 foot x 16 foot storage shed, as depicted on submitted plans. This authorization is subject to confirmation that height and use provisions of Article VIII, Section B.1.d. are met. MOTION PASSED UNANIMOUSLY.

6. Request for Phase 4A Escrow Reduction, Freedom Green. File #636-4

After an update from Padick, Ryan MOVED, Holt seconded, that the Planning and Zoning Commission authorize a reduction to \$150,000 in the escrow fund for Phase IV B of the Freedom Green development. Furthermore, the escrow fund for this phase may be capped at \$150,000 and no escrow fund additions shall be required in association with the occupancy of remaining units in this phase. All other conditions of approval shall remain in effect. Additional PZC approval shall be required for further reductions in the Phase IV B escrow fund. MOTION PASSED UNANIMOUSLY.

7. New Subdivision Application, Bennett Estates, 3 lots on Ash Street/South Frontage Road,

D+S Properties LLC., o/a, File #1253

Holt MOVED, Gardner seconded, to receive the subdivision application (file #1253), submitted by D & S Properties, LLC, for 3 lots, Bennett Estates, on property located at the corner of Ash Street and South Frontage Road owned by the applicant, as shown on plans dated 9/12/06, and as described in other application submissions, and to refer said application to the staff for review and comments. MOTION PASSED UNANIMOUSLY.

8. Site modification request, office expansion and related site work at 1066 Storrs Road, File #580-2

Holt MOVED, Hall seconded, that the Planning and Zoning Commission receive the site modification request for office use and site improvements at 1066 Storrs Road and refer the request to staff for review and comment. MOTION PASSED UNANIMOUSLY.

New Business continued:

2. Regulatory Review Committee proposed revisions to the Zoning Map & Zoning Regulations,  
File #907-29

Padick reviewed with the Commission the proposed draft revisions to the Zoning Regulations and Zoning Map. Using an aerial survey map, Padick pointed out the area where major changes are being proposed. Holt MOVED, Gardner seconded, to schedule a Public Hearing for 12/18/06 to receive comments on 11/2/06 draft proposed revisions to Mansfield's Zoning Map and Zoning Regulations and to refer the draft revisions to the WINCOG Regional Planning Commission, Town of Windham, Town Attorney, Town Council, Zoning Board of Appeals, Design Review Panel, Conservation Commission,

Open Space Preservation Committee, Agricultural Committee, Eastern Highlands Health District, and Town Staff for review and comment. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

- There were no reports from the PZC Chairman or Regional Planning Commission Representatives.
- Favretti noted that there will be a Field Trip on 11/13/06 at 1:00.

Communications and Bills:

- The agenda items were noted.

Adjournment:

Favretti declared the meeting adjourned at 9:22 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary